Response Under 37 CFR 1.1 Expedited Procedure

Exampling Group —

For Other Than A Small Entity

<u>UV-197</u>

: Peter C. Boylan, III, et al.

Confirmation No.: 1639 Applicants : 09/878,050 Application No.

: June 8, 2001

: June 8, 2001

: SYSTEM AND METHOD FOR USING PORTABLECE/VED

: SYSTEM AND METHOD FOR USING PORTABLECE/VED Filed For

DEVICE WITH A CODE SCANNER

TECH CENTER 1600/2900

: 2876 Group Art Unit

: Steve S. Paik Examiner

New York, New York October 14, 2003 Hon. Commissioner for Patents

Alexandria, Virginia 22313-1450

## TRANSMITTAL LETTER

Transmitted herewith: [] a Supplemental Preliminary Amendment; [X] a Reply to Final Office Action; sir: [] a Supplemental Amendment; [] a substitute Specification; [] a Declaration; [] a Supplemental Declaration; [] a Power of Attorney; [] an Associate Power of Attorney; [] formal drawings; to be filed in the above-identified patent application.

# FEE FOR ADDITIONAL CLAIMS

A fee for additional claims is not required. [X]

[] A fee for additional claims is required.

The additional fee has been calculated as shown below:

	R A	CLAIMS REMAINING AFTER AMENDMENT				PREVIOUSLY			PRESENT EXTRA			RATE			ADDITIONAL FEES			
TOTA	L CLAIM	S 336	5 -		06	*	=		0	Х	\$	18	=	Ş	5	0.00		
INDE	PENDENT MS		; -		26	**	=		0	х	\$	86	=	Ş	5	0.00		
	T PRESE				F		<u> </u>		. 10=-	+	\$2	290	. =	\$	5	0.00		
*	If less than 20, insert 20. If less than 3, insert 3.									TOTAL				<u> </u>	5	0.00		
[ ]	A check in the amount of $\frac{\$}{}$ in payment of the filing fee is transmitted herewith.																	
[X]	The Director is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. § 1.16, in connection with the paper(s) transmitted herewith, or credit any overpayment of same, to deposit																	

- herewith, or credit any overpayment of same, to deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [ ] Please charge \$\_\_\_\_\_ to Deposit Account No. 06-1075 in payment of the filing fee. A duplicate copy of this transmittal letter is transmitted herewith.

#### EXTENSION FEE

The following extension is applicable to the Response [ ] filed herewith; [ ] \$110.00 extension fee for response within first month pursuant to 37 C.F.R. § 1.136(a); [ ] \$420.00 extension fee for response within second month pursuant to 37 C.F.R. § 1.136(a); [] \$950.00 extension fee for response within third month pursuant to 37 C.F.R. § 1.136(a); [ ] \$1,480.00 extension fee for response within fourth month pursuant to 37 C.F.R. § 1.136(a); \$2,010.00 within fifth month pursuant to 37 C.F.R. § 1.136(a).

- [] A check in the amount of [] \$110.00; [] \$420.00; [] \$950.00; [] \$1,480.00; [] \$2,010.00 in payment of the extension fee is transmitted herewith.
- [X] The Director is hereby authorized to charge payment of any additional fees required under 37 C.F.R. § 1.17 in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.
- [] Please charge the [] \$110.00; [] \$420.00; [] \$950.00; [] \$1,480.00; [] \$2,010.00; extension fee to Deposit Account No. 06-1075. A duplicate copy of this transmittal letter is transmitted herewith.

Jares Kneitel

Registration No. 51,178

Agent for Applicant

FISH & NEAVE

Customer No. 1473

1251 Avenue of the Americas

New York, New York 10020-1105

Tel.: (212) 596-9000

ED STATES PATENT AND TRADEMARK OFFICE

Peter C. Boylan, III, et al.

09/878,050

Confirmation No.: 16EH CENTER 1600/200 THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Application No.:

Filed

For

DEVICE WITH A CODE SCANNER

Group Art Unit :

2876

Examiner : Steve S. Paik

Hon. Commissioner for Patents

:

New York, New York 10020

P.O. Box 1450

Alexandria, VA 22313-1450

#### EXPRESS MAIL CERTIFICATION

Express Mail Label No. EV 132188509 US

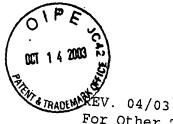
Date of Deposit: October 14, 2003

I hereby certify that this certification and the following papers and fees:

- Transmittal Letter (in duplicate);
- Reply to Final Office Action; and
- 3. Postcard

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and are addressed to Mail Stop AF, Hon. Commissioner for Patents, P.O Box 1450, Alexandria, VA 22313-1450.

Claire J. Saintil-van Goodman



For Other Than A Small Entity

Docket No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants

Peter C. Boylan, III, et al.

Application No.:

09/878,050

Confirmation No.:

Filed

June 8, 2001

For

SYSTEM AND METHOD FOR USING

PORTABLE DEVICE WITH A CODE SCANNER

Group Art Unit :

2876

Examiner

Steve S. Paik

New York, New York October 14, 2003

Hon. Commissioner for Patents P.O. Box 1450

Alexandria, Virginia 22313-1450

### REPLY TO FINAL OFFICE ACTION

Sir:

In Reply to the Final Office Action mailed August 12, 2003 please amend the claims as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks being on page 17 of this paper.